

SPECIAL SENATE INVESTIGATION ON CHARGES
AND COUNTERCHARGES INVOLVING: SECRETARY OF THE ARMY ROBERT T. STEVENS, JOHN G. ADAMS, H. STRUVE HENSEL AND SENATOR JOE McCARTHY, ROY M. COHN, AND FRANCIS P. CARR

HEARING
BEFORE THE
SPECIAL SUBCOMMITTEE ON
INVESTIGATIONS OF THE COMMITTEE ON
GOVERNMENT OPERATIONS
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CONTENTS

Index.....	Page
Testimony of—	I
Cohn, Roy M., chief counsel, Senate Permanent Subcommittee on Investigations.....	2398
McCarthy, Senator Joe, United States Senate.....	2431

EXHIBITS

	<i>Introduced on page</i>	<i>Appears on page</i>
36. Map "Communist Party Organization, U. S. A., February 9, 1950".....	2441	(1)

¹ May be found in the office of the subcommittee.

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WEDNESDAY, JUNE 9, 1954

UNITED STATES SENATE,
SPECIAL SUBCOMMITTEE ON INVESTIGATIONS
OF THE COMMITTEE ON GOVERNMENT OPERATIONS,
Washington, D. C.

AFTER RECESS

(The hearing was resumed at 2:17 p. m., pursuant to recess.)

Present: Senators Karl E. Mundt, Republican, South Dakota, chairman; Everett McKinley Dirksen, Republican, Illinois; Charles E. Potter, Republican, Michigan; Henry C. Dworshak, Republican, Idaho; John L. McClellan, Democrat, Arkansas; Henry M. Jackson, Democrat, Washington; Stuart Symington, Democrat, Missouri.

Also present: Ray H. Jenkins, chief counsel; Thomas R. Prewitt, assistant counsel; Charles Maner, assistant counsel.

Principal participants present: Senator Joseph R. McCarthy, a United States Senator from the State of Wisconsin; Roy M. Cohn, chief counsel to the subcommittee; Joseph N. Welch, special counsel for the Army; James D. St. Clair, special counsel for the Army.

Senator MUNDT. The committee will please come to order.

The Chair would like to begin the afternoon session by welcoming our guests to the committee room. Some of you have been here before; for some of you this is the first time. So I must acquaint you with the committee rule, unanimously adopted, which is to the effect that there are to be no audible manifestations of approval or disapproval of any kind at any time from our guests in the audience.

The committee has instructed the Chair to ask the uniformed members of the Capitol Police force, whom you see before you, and the plainclothes people scattered throughout the audience, to enforce that committee ruling by escorting from the committee room immediately, politely but firmly, any of our guests who elect to violate the conditions under which you entered the room, namely, to refrain from audible manifestations of approval or disapproval.

Our audiences have been magnificent. The officers have done a splendid job. I think it is safe to say that at congressional hearings, never before have so many behaved so well for so long, and we appreciate it. We hope that will continue.

Mr. COHN. Could you hand that up to me? [Document handed.]
Senator MUNDT. Time out.

Mr. COHN. I don't know what this is from. This is a—one of the drafts on the Baker East-Baker West report. I can't tell you that this was worked on by Mr. Schine.

Mr. WELCH. You can't tell?

Mr. COHN. No. If I had to say one way or the other, I would say it probably was not.

Mr. WELCH. Probably not. In the last document I hold in my hand, and I think I know myself, at least I have been advised, sir, that is your handwriting.

Mr. COHN. Yes; that——

Mr. WELCH. I didn't ask you what it was. That has got 11 pages in your handwriting.

Mr. COHN. Whatever it is there. As I recall it, sir, that was an outline which Private Schine and I drew up originally before we started mapping out the two interim reports.

Mr. WELCH. When is originally?

Mr. COHN. I think that was probably mid-November, end of November, something like that.

Mr. WELCH. When did you really go into what you would call your report writing stage?

Mr. COHN. I would say December was the principal month on that, and the first 2 weeks in January.

Mr. WELCH. December 16 is the date that you testified you went into the report writing stage; did you not?

Mr. COHN. I would say you are right, that certainly, the work was intensified, say, during December and the first 2 weeks in January. I think all the reports finally got out by the 25th or 26th of January.

Mr. WELCH. Now, Mr. Cohn, I hold in my hand the work product of Mr. Schine that was handed by you to Mr. Horowitz; is that right? [Indicating.]

Mr. COHN. Yes; that——

Mr. WELCH. Covering the period while he was at Fort Dix?

Mr. COHN. Yes, sir.

Mr. WELCH. And after your having examined it, we find pages 16, 17, and 18, two and a half pages of one of the documents that Schine actually produced; is that right?

Mr. COHN. That is one of the things, sir.

Mr. WELCH. And that is the whole works, except for something about witness lists?

Mr. COHN. No, sir.

Mr. WELCH. And something about having done some work on the interim and the annual report?

Mr. COHN. Well, you pass over it pretty fast, Mr. Welch.

Mr. WELCH. Well, that embraces it; doesn't it?

Mr. COHN. It wasn't that easy.

Mr. WELCH. Now, the work on the interim and annual report you can't produce for us?

Mr. COHN. No. I told you we did not keep drafts. However, you do have there, sir, a draft of one—one of the final drafts of the annual report with Mr. Schine's notes and comments all through it, I believe.

Mr. WELCH. Now, Mr. Cohn, let me ask you this: In addition to

working on these matters when you were with Mr. Schine, did you, on what you might call after hours, do anything socially with him?

Mr. COHN. While he was down at Dix, sir?

Mr. WELCH. Yes.

Mr. COHN. Well, I don't know what you call socially. He did have dinner. He ate, and he went to sleep, I imagine. He had dinner at my house with my family and myself on a number of occasions when we worked. I think once or twice I ate dinner with his family and with him. I assume you don't mean that by socially. I recall one occasion while he was down at Dix when we went on a double-date for dinner, with two girls. That was, I believe, in January.

Mr. WELCH. In January? Where did you go?

Mr. COHN. We had dinner at the—at a hotel, the Drake Hotel, the Drake Room.

Mr. WELCH. January 10?

Mr. COHN. Pardon me, sir?

Mr. WELCH. January 10?

Mr. COHN. Your sources of information are better than mine.

Mr. WELCH. I even know what you spent. You had \$32.96 worth of dinner and \$5.85 worth of drinks. Does that sound all right?

Mr. COHN. Pardon me, sir?

Mr. WELCH. Does that sound all right?

Mr. COHN. It sounds a little high since I am not going with the girl I had out any more.

Mr. WELCH. I know, Mr. Cohn, what you spent on the night of December 31. Do you?

Mr. COHN. December 31?

Mr. WELCH. Yes.

Mr. COHN. That was New Year's Eve?

Mr. WELCH. Yes.

Mr. COHN. I spent nothing, as far as I know.

Mr. WELCH. Well, then, the Stork Club cheated you out of \$27—I beg your pardon. I beg your pardon. I have the wrong date. Let me ask you where you were on the night of January 2.

Mr. COHN. I thought you did have the wrong date.

Mr. WELCH. How about January 2d?

Mr. COHN. January 2d? Let's see, that was a—that was a Saturday night; yes, sir.

Mr. WELCH. Saturday night?

Mr. COHN. Yes, sir.

Mr. WELCH. Do you want to be reminded how much you spent at the Stork Club?

Mr. COHN. I am trying to think who I was out with first.

Mr. WELCH. May I suggest you may have been with Dave.

Mr. COHN. You might suggest it, sir, but I would tell you, you are wrong.

Mr. WELCH. And if you weren't with Dave, do you know where Dave was on that weekend?

Mr. COHN. On that weekend?

Mr. WELCH. Yes.

Mr. COHN. I don't know where he was. I know he was working on that weekend.

Mr. WELCH. How do you know? Because he told you he was?

Mr. COHN. No. Because I know what work he did, and you have some of it right before you.

Mr. WELCH. Where was he working on that weekend?

Mr. COHN. On that weekend?

Mr. WELCH. Yes.

Mr. COHN. He worked with me on the night of December 31. He worked with me, as I recall it, on the afternoon of December 31. He worked with me on Saturday, whatever the date would be—January 1. And I think he worked with me on Sunday.

Mr. WELCH. Do you know where Dave was on December 7, when he was away from Dix?

Mr. COHN. On December 7?

Mr. WELCH. Yes. That is Monday, December 7.

Mr. COHN. I am looking at General Ryan's chart here. It says "on pass from 6 to 10:45, pass to Trenton." I imagine he was in Trenton.

Mr. WELCH. That is right. Were you with him?

Mr. COHN. Very probably, sir.

Mr. WELCH. Yes. At the Stacy-Trent Hotel?

Mr. COHN. Yes, sir, I think that it is. I remember General Ryan recommended that hotel when we saw him the first time, and I think we went over there on two or three occasions.

Mr. WELCH. Were you busily at work on committee matters there?

Mr. COHN. Yes, sir.

Mr. WELCH. Were your files partly at your home?

Mr. COHN. No.

Mr. WELCH. And partly at Schine's?

Mr. COHN. No, sir.

Mr. WELCH. And partly at Schine's office?

Mr. COHN. No, sir.

Mr. WELCH. You didn't have any files with you?

Mr. COHN. I think we probably had some papers with us.

Mr. WELCH. You had some papers with you?

Mr. COHN. I think another staff member was there.

Mr. WELCH. Yes. It would appear that there were two at dinner. Were you one of the two?

Mr. COHN. It very well might have been, sir. I think there probably was one other person.

Mr. WELCH. On December 4——

Mr. COHN. I think Jim Juliana——

Mr. WELCH. Do you know where——

Mr. COHN. Jim Juliana was down one night, and I think Frank Carr another night, when we were at the Stacy-Trent.

Mr. WELCH. Do you know where you were on the night of December 4?

Mr. COHN. Let me look at the chart.

Senator MUNDT. Counsel's time has expired. You may answer the question.

Mr. COHN. I don't remember offhand, sir.

Senator MUNDT. Any questions from Senators to my right? To my left? Senator McCarthy is not here. Mr. Welch, you have another 10 minutes.

Mr. WELCH. May I suggest to you, sir, that you were at the Stork Club on that night?

Mr. COHN. Very probably.

Mr. WELCH. And spent \$25.75.

Mr. COHN. Could be.

Mr. WELCH. By the way, I have never been there. That must be an expensive place, isn't it?

Mr. COHN. It depends on how many people you have with you, sir. The place I go in the Stork Club is something called the Cub Room. I am afraid it is not quite as dramatic as it might sound. It is a room where there is no music or dancing. It is a pretty quiet place. You go in there and can get something to eat.

Mr. WELCH. I will bet I couldn't get in, could I, Mr. Cohn?

Mr. COHN. Well, they cater to television celebrities, Mr. Welch, and I think you could.

Mr. WELCH. Do you know where Dave was on the night of December 3? That is just the night before.

Mr. COHN. No, I don't.

Mr. WELCH. Were you with him?

Mr. COHN. I might very well have been.

Mr. WELCH. Were you working?

Mr. COHN. If it were Thursday night and I were with him, we would be working; yes, sir.

Mr. WELCH. You were working. Were you working at the Stacy-Trent Hotel?

Mr. COHN. Yes; I think that—

Mr. WELCH. Did you work your way through \$21.35 worth of dinner?

Mr. COHN. Well, Mr. Welch, if you are trying to establish that I ate dinner, you will find I do that every night in the week.

Mr. WELCH. I agree, sir. But it is quite a chore to eat your way through \$21.35 worth of dinner. Did you eat your way through that much, you and Schine?

Mr. COHN. If Mr. Carr was along, I would say it is probable.

Mr. WELCH. In justice to Mr. Carr, who is not in the room, and to you and to Dave Schine, I would like to say that there were three people there. Let's say the big, strong, hungry, silent man was with you.

On December 1, do you know where you were?

Mr. COHN. No, I don't.

Mr. WELCH. Would it surprise you to know that Mr. Schine was at the Stacy-Trent Hotel?

Mr. COHN. No, it wouldn't at all.

Mr. WELCH. Were you with him?

Mr. COHN. I would think so, sir. I know that—

Mr. WELCH. Were you at work?

Mr. COHN. Yes, sir. I think there were—

Mr. WELCH. Did you eat your way through \$14.95 worth of dinner?

Mr. COHN. Fourteen dollars?

Mr. WELCH. Right.

Mr. COHN. It sounds fine, sure.

Mr. WELCH. Where were you on November 30?

Mr. COHN. I see a blank on General Ryan's chart, so I have nothing to—

Mr. WELCH. There was no pass granted on that night, but the record shows that Mr. Schine was at the Stacy-Trent Hotel. Were you there?

Mr. COHN. It is very possible I or one of the other staff members.

Mr. WELCH. And at work?

Mr. COHN. Yes, sir. I think, Mr. Welch, to summarize, there were about, I think, 3 or 4 or 5 occasions when we did go—Jim Juliana, Frank Carr, and myself and Dave Schine—to the Stacy-Trent Hotel, which had been recommended to us by General Ryan.

Mr. WELCH. Could you get anything to eat on the fort if you tried?

Mr. COHN. I tried it once, sir.

Mr. WELCH. You tried it once?

Mr. COHN. Yes.

Mr. WELCH. It would have saved some time, wouldn't it?

Mr. COHN. It might have, and it might not have.

Mr. WELCH. You and Dave could have dug into the work even harder than you did?

Mr. COHN. I think this was before General Ryan had made this conference room available, sir.

Mr. WELCH. On the 28th-29th of November, were you with Dave at the Drake Hotel in New York?

Mr. COHN. I don't recall.

Mr. WELCH. You must have been at work on that day with him, weren't you?

Mr. COHN. On the 28th and 29th?

Mr. WELCH. Yes.

Mr. COHN. If it was a weekend I would say, yes, sir.

Mr. WELCH. On the 29th, which is what, Sunday?

Mr. COHN. Yes, sir.

Mr. WELCH. Did you eat your way through \$16.48 worth of food at the Drake Hotel, plus \$3.46 for drinks?

Mr. COHN. It could very well be.

Mr. WELCH. Mr. Cohn, I think in fairness to you, sir, because I somewhat admire you for it, I think you do not drink, is that right?

Mr. COHN. I drink very occasionally, sir.

Mr. WELCH. I had heard you never drank and I think it is somewhat in your favor.

On November 28 were you and Mr. Schine at the Stork Club?

Mr. COHN. Mr. Welch, as far as I know and I am quite sure of this, Mr. Schine was not at the Stork Club at any time while he was stationed at Fort Dix—period.

Mr. WELCH. Then if you were at the Stork Club he wasn't working with you?

Mr. COHN. I think that would be a very fair conclusion.

Mr. WELCH. Where do you suppose he was busily working on the night of November 28 when you were at the Stork Club?

Mr. COHN. If I was at the Stork Club, sir, he was very probably home asleep.

Mr. WELCH. Home asleep but not at work?

Mr. COHN. I don't know whether he was or not.

Mr. WELCH. And not at Fort Dix, you know that don't you?

Mr. COHN. Pardon me?

Mr. WELCH. And not at Fort Dix. You know he was not at Fort Dix on November 28 from noon until midnight?

Mr. COHN. If it was one of the occasions when he was not at Fort Dix, I am sure he was not at Fort Dix.

Mr. WELCH. Would you have pulled him out from Fort Dix from noon on November 28 to midnight November 29 unless you wanted to work with him?

Mr. COHN. Sir, every time he was off I know he worked. In addition to working—

Mr. WELCH. My question is, would you have pulled him out of Fort Dix on the 28th of November at noon and kept him out until the 29th of November at midnight unless you wanted to work with him.

Mr. COHN. No. He did committee work. I am sure of that.

Mr. WELCH. Of course. You couldn't possibly have pulled him out unless you wanted to work with him, could you?

Mr. COHN. No, sir.

Mr. WELCH. You wouldn't have gone romping off to the Stork Club without him, would you?

Mr. COHN. Well, I am afraid I not only would, but I did, sir.

Mr. WELCH. Left him alone?

Mr. COHN. Yes, sir.

Mr. WELCH. Where did you leave him?

Mr. COHN. Pardon me?

Mr. WELCH. Where did you leave him?

Mr. COHN. Presumably at his house.

Mr. WELCH. At his house?

Mr. COHN. Yes, sir. I know this, sir: He did not go to the Stork Club or a nightclub at any time while he was stationed down at Fort Dix.

Mr. WELCH. Is there a restaurant in New York called—

Mr. COHN. I did. And at times I would stop in there on the way home with something late at night and I never saw anything wrong in that then and I don't see anything wrong in it now.

Mr. WELCH. Is there a restaurant in New York called Sardi's?

Mr. COHN. Yes; there is.

Mr. WELCH. On November 13 until November 15 Schine was off at Dix. Was he with you?

Mr. COHN. On part of the occasion undoubtedly he was, sir.

Mr. WELCH. Did you go to Sardi's?

Mr. COHN. Did I go to Sardi's?

Mr. WELCH. With him.

Mr. COHN. No, sir.

Mr. WELCH. You did not?

Mr. COHN. I am sure I did not.

Mr. WELCH. How much of that time when he was off after hours November 15 until 10 p. m. was he with you?

Mr. COHN. This is on the 13th to the 15th?

Mr. WELCH. Yes; November 13.

Mr. COHN. I have no idea.

Mr. WELCH. I just want to go back for a moment to New Year's Eve, Mr. Cohn.

Mr. COHN. Surely.

Mr. WELCH. You remember, Mr. Cohn, that Private Schine was entitled to have either Christmas or New Year's off?

Mr. COHN. I heard some testimony about that.

Mr. WELCH. But not both?

Mr. COHN. I heard some testimony about that; yes, sir.

Mr. WELCH. And you were with him on New Year's Eve; were you not?

Mr. COHN. Yes, sir.

Mr. WELCH. At a time a telegram was received?

Mr. COHN. No, sir.

Mr. WELCH. Did you know about his receiving a telegram?

Mr. COHN. That was not New Year's Eve, sir; that was in the afternoon.

Mr. WELCH. In the afternoon?

Mr. COHN. Yes, sir.

Mr. WELCH. Of the last day of the year?

Mr. COHN. Yes, sir.

Mr. WELCH. Is that right?

Mr. COHN. You are referring to the incident which General Ryan described on the stand about the mixup in that weekend and the telegram and my phone call down to Lieutenant Blount?

Mr. WELCH. That is right.

Mr. COHN. Yes, sir; that was the afternoon of December 31.

Mr. WELCH. The afternoon?

Mr. COHN. Yes, sir.

Mr. WELCH. And you telephoned and straightened out the mixup by saying, "Private Schine and I are busily at work"?

Mr. COHN. Yes. I called down——

Mr. WELCH. Well, the answer is "Yes."

Mr. COHN. He got the telegram and after he told me he had gotten it, I called down there; yes, sir.

Mr. WELCH. And said, "Private Schine and I are busily at work"?

Mr. COHN. I don't think I went into any detail about busily at work, sir. I know to help you, that we did work; yes, sir.

Mr. WELCH. The only reason that he was out of Dix that afternoon and night, and the next 2 days as well, was because of the press of committee business?

Mr. COHN. He was——

Mr. WELCH. Is the answer "yes" or "no"?

Mr. COHN. The answer is "yes," sir, he was out to do committee work and that is what he did.

Mr. WELCH. Did you finally decide that New Year's night that you could at some time knock off and have a little fun?

Mr. COHN. Did I, sir?

Mr. WELCH. Yes.

Mr. COHN. Well, I had this situation, Mr. Welch.

Mr. WELCH. The question is, Did you finally decide that you could knock off and have a little fun?

Mr. COHN. I am trying to tell you, sir. I had had this situation. I had had a serious illness in my family shortly before that. I did not go out; I stayed home on New Year's Eve. Very late in the night, I would say about 2 or 3 in the morning——

Mr. WELCH. Interrupting your work?

Mr. COHN. No, I had finished working, sir.

Mr. WELCH. Yes?

Mr. COHN. About 2 or 3 in the morning I went over to a friend's home for an hour or two and then I came home.

Mr. WELCH. Was Dave with you?

Mr. COHN. No, he was not.

Mr. WELCH. Where was Dave?

Mr. COHN. He was at home, I suppose.

Mr. WELCH. You suppose? Did you see him that evening?

Mr. COHN. Yes, I did see him.

Mr. WELCH. Where did you see him?

Mr. COHN. At my house.

Mr. WELCH. Until what time?

Mr. COHN. I think he left around 12:30; something like that.

Mr. WELCH. Were you busily at work until then, Mr. Cohn?

Mr. COHN. I am afraid we were, sir; yes.

Mr. WELCH. It seems to me almost above and beyond the call of duty to work so late and so hard.

Mr. COHN. We, on New Year's Eve, sir, we did work on that particular draft of the annual report which you have before you.

Mr. WELCH. Now, Mr. Cohn, when you consider what I have gone over with you in your testimony, and the work product which I hold in my hand, do you wish seriously to tell this committee that it was necessary to pull Schine out of Fort Dix time after time to produce what we have got here?

Mr. COHN. Mr.——

Mr. WELCH. Just "Yes" or "No." Was it necessary?

Mr. COHN. The answer, sir, is "Yes," sir. If it were not necessary, it would not have been done, and the further answer, sir, is you, of course, have not given a complete picture.

Mr. WELCH. Can you tell us whether or not you know who was with Mr. Schine on New Years Eve?

Mr. COHN. He was at my house.

Mr. WELCH. Was anyone with him?

Mr. COHN. Pardon me, sir?

Mr. WELCH. Was anyone with him?

Mr. COHN. I will tell you everyone who was there. I was there——

Senator MUNDT. Mr. Welch's time has expired, but you may continue to answer the question.

Mr. COHN. Sure. I was there, two or three friends of mine were there.

Mr. WELCH. I won't ask you their names. Were they men or women?

Mr. COHN. There was a couple, a friend of mine and his wife, there was another friend of mine, a man, Dave Schine, and there was a young lady who is a friend of Dave Schine's who came up later in the evening.

Mr. WELCH. I will not ask you to identify her.

Mr. COHN. You know who she is already, sir. You had her in executive session.

Mr. WELCH. Yes, but I am not going to ask you to identify her, unless you wish me to.

Mr. COHN. All right.

Mr. WELCH. At what time did she arrive?

Mr. COHN. I don't know, sir.